Proposal Name:	Chen Short Plat
Proposal Address:	16709 SE Newport Way
Proposal Description:	Application for Preliminary Short Plat approval to subdivide an existing 30,243 square foot lot (approx. 0.69 acre) into three single-family lots. The property is zoned R-3.5. There are no critical areas on site.
File Number:	16-102771-LN
Applicant:	Sarah Anderson
Decisions Included:	Administrative Decision for a Preliminary Short Plat through Process II, Land Use Code 20.35.200
Planner:	Mark C. Brennan, Associate Planner
State Environmental Policy Act Threshold Determination:	Exempt pursuant to WAC 197-11-800(6)(a), BCC 22.02.032
Department Decision:	Approval with Conditions
	Elizabeth Stead
	Elizabeth Stead, Land Use Director Development Services Department
Application Date: Notice of Application: Decision Publication Date: Appeal Deadline:	May 11, 2016 September 29, 2016 September 17, 2020 October 1, 2020

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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# I. PROPOSAL DESCRIPTION

# A. Description

The applicant proposes to subdivide an existing 30,243 square foot (SF) lot (approx. 0.69 acre) into three single-family lots resulting in **Lot 1**, a 10,000 SF lot (approx. 0.23 acre), **Lot 2**, a 10,242 SF lot (approx. 0.23 acre) and **Lot 3**, a 10,001 SF lot (approx. 0.23 acre. Refer to **Figure 1** below.

The site is currently developed with an existing single-family dwelling which will be demolished prior to the recording of the Final Short Plat. The subject site is located in the R-3.5 land use district and is within the Newcastle Subarea. All lots will be accessed directly from SE Newport Way by a new, shared private road.

As defined by Land Use Code 20.25H, the site does not contain any critical areas. The existing property contains 19 significant trees with a combined total of 433 (432.7) diameter inches. A minimum of 30% (130 diameter inches) must be retained per LUC 20.20.900. The applicant proposes to retain 141 diameter inches (6 trees), which equates to 33% of the diameter of existing significant trees on the site.

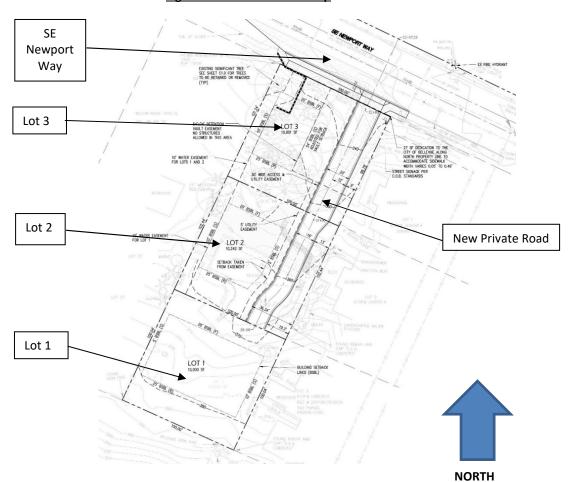


Figure 1: Chen Short Plat Map

# **B.** Review Process/Time Limitation:

Preliminary Short Plat review (LN Permit) is governed by Land Use Code (LUC) 20.45B. The LN is a admnistrative Process II decision. The Director of Development Services issues the Preliminary Short Plat decision. An appeal of any Process II decision is heard and decided upon by the City of Bellevue Hearing Examiner.

This Preliminary Short Plat approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the date of this approval or an extension is requested in writing. Refer to Condition of Approval regarding Time Limitation in Section X.A of this report.

## II. SITE DESCRIPTION AND ZONING

## A. SITE DESCRIPTION:

The site is located in the R-3.5 zoning district and is within the Newcastle Subarea. The site has a Comprehensive Plan Land Use Designation of SF-M (Single Family Medium Density). The proposed preliminary short plat to create three single family lots is consistent with the single-family Comprehensive Plan land Use designation. All abutting properties to the site, and within the surrounding neighborhood are within the R-3.5 zoning district and are currently developed with single-family uses. The proposal site is also currently developed with one single family house. The site slopes from an elevation of 346 feet at its street frontage on SE Newport Way to 383 feet at its south boundary line, resulting in a change in elevation of 37 feet (approximately 12% slope) along the site.



Figure 2: Site Context Aerial Image

Site

Figure 3: Zoning Map

# III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS:

# A. ZONING DISTRICT DIMENSIONAL REQUIREMENTS:

The site is located in the R-3.5 zoning district. The proposed short plat is in conformance with the general dimensional requirements of the zone per Land Use Code (LUC) 20.20.

BASIC INFORMATION	BASIC INFORMATION					
Zoning District	R-3.5					
Gross Site Area	30,243 SF or 0.69 acre					
ITEM	REQ'D/ALLOWED	PROPOSED				
Minimum Lot Area	10,000 SF	Meets LUC requirement.  Lot 1: 10,000 SF (0.23 acre)  Lot 2: 10,242 SF (0.23 acre)				
Minimum Lot	70 FT	Lot 3: 10,001 SF (0.23 acre)  Meets LUC requirement.				
Width Minimum Lot Depth	80 FT	All Lots: 100 FT. wide.  Meets LUC requirement.  Lot 1: 100.04 FT  Lot 2: 102.44 FT  Lot 3: 98.79 FT				
Building Setbacks Front Yard Rear Yard Min. Side Yard 2 Side Yards together	20 feet 25 feet 5 feet* 15 feet*  * Per LUC 20.20.010 Footnote (17), if a setback abuts a private road, the min. dimension is 10 ft. unless a greater dimension is required	As Conditioned, meets LUC requirement.  Lot 1: Front-20 Feet    Rear-25 Feet    1 Side (west) - 5 Feet    1 Side (east)-10 Feet  Lot 2: Front-20 Feet    Rear-25 Feet    1 Side (west) - 10 Feet    1 Side (east) - 10 Feet    1 Side (east) - 10 Feet from    edge of private road				

Building Setbacks (Continued)		Lot 3: Front - 20 Feet Rear - 25 Feet 1 Side (west) - 10 Feet 1 Side (east) – varies from 54 feet to accommodate setback from detention vault to 10 feet from edge of private road Refer to Condition of Approval regarding Structure Setback from Private Road in Sections X.C of this report
Lot Coverage by	.35 maximum on each lot	Lot 3: Ability to develop to the
Structure	<b>Lot 1:</b> 10,000 SF x .35 = 3,500 SF	maximum allowable lot coverage by
	<b>Lot 2:</b> 10,242 SF x .35 = 3,584 SF	structure area will be limited by
	<b>Lot 3:</b> 10,001 SF x .35 = 3,500 SF	required setback from detention vault.
	(Lot 3: See note at right)	This will be reviewed under future
Hard Surface	.75 on each lot	single-family building permit for Lot 3.
Coverage*	<b>Lot 1:</b> 10,000 SF x .75 = 7,500 SF	
	<b>Lot 2:</b> 10,242 SF x .75 = 7,681 SF	Lot Coverage by Structure, Hard
	<b>Lot 3:</b> 10,001 SF x .75 = 7,500 SF	Surface Coverage, Impervious (&
Impervious	.45 on each lot	Alternative Maximum) Surface
Surface*	<b>Lot 1:</b> 10,000 SF x .45 = 4,500 SF	Coverage, Front-Yard Greenscape and
	<b>Lot 2</b> : 10,242 SF x .45 = 4,609 SF	FAR will be reviewed under future
	<b>Lot 3:</b> 10,001 SF x .45 = 4,500 SF	single-family building permits (BS permits) for each lot.
Alternative Max.	.5 on each lot	permits) for each lot.
Impervious	<b>Lot 1</b> : 10,000 SF x .5 = 5,000 SF	
Surface*	Lot 2: 10,242 SF x .5 = 5,121 SF	
	<b>Lot 3:</b> 10,001 SF x .5 = 5,000 SF	-
Greenscape	Front Yard setback area x 0.5	
Percentage of	<b>Lot 1</b> : 20 FT x 100 FT x .5 = 1,000	
Front Yard	SF	
	Lot 2: 20 FT x 100 FT x .5 = 1,000 SF Lot 3: 20 FT x 100 FT x .5 = 1,000	
	SF*	
Floor Area Ratio	.5 on each lot	1
(FAR)	<b>Lot 1:</b> 10,000 SF x .5 = 5,000 SF	
<u> </u>	<b>Lot 2:</b> 10,242 SF x .5 = 5,121 SF	
	<b>Lot 3:</b> 10,001 SF x .5 = 5,000 SF	

<sup>\*</sup>The maximum Hard Surface Coverage and Impervious Surface Coverage is dependent upon the site's feasibility for infiltration. When a site is deemed infeasible for infiltration, the project is subject to the Alternative Maximum Impervious Surface limit only. If the site is deemed feasible for infiltration, the project is subject to the Maximum Hard Surface Coverage and Maximum Impervious Surface Coverage listed above. The determination of the feasibility of infiltration is evaluated under future building permits.

# B. Tree Retention (LUC 20.20.900)

As described in Section I above, the applicant proposes to retain 6 trees, or 32% (141 diameter inches inches) of the existing 433 diameter inches of existing significant trees on the site. This satisfies the minimum tree retention requirement.

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All retained trees shall be protected from adverse impacts during construction including, but not limited to, the provision of tree protection fencing. No excavation or clearing should be performed within the drip lines of retained trees except as specifically approved on the construction permit plans and is required, this work shall be done by hand.

The final short plat shall include a Tree Preservation plan that portrays the drip-line, the diameter size, and common name of each significant tree on site to be retained, along with a tree preservation note. Refer to Conditions of Approval regarding Tree Protection and Tree Preservation Requirements in Sections X.B & C of this report.

# IV. PUBLIC NOTICE AND PARTIES OF RECORD

## A. Public Notice

Application Date: May 11, 2016
Notice of Application: September 29, 2016
Minimum Comment Period: October 13, 2016

The project was publicly noticed in the City's Weekly Permit Bulletin and Seattle Times on September 29, 2016 with notice mailed to property owners within 500 feet of the project site. A public information sign was also installed on the site.

## B. Parties of Record

To date one party has commented on the proposal. The concerns expressed, and Land Use responses (findings) to each are included below:

1) The property at 16513 SE Newport Way (east of the proposal site) is in a conservation easement with the Wildlife Land Trust in Washington, D.C. It includes the year-round stream and ravine just west of the driveway. The easement is recorded with King County. Does this short plat proposal affect the critical areas within the conservation easement on this property?

**Response:** This proposal does not affect the critical areas or critical area buffers within the conservation easement. According to City maps, the critical area (stream) on the property at 16631 SE Newport Way (to the east of this preliminary short plat proposal site) is located on a site previously developed with the existing single-family dwelling. City maps indicate the stream is within the Vasa Creek Area but has not been typed (Type-S, F, N or O) per LUC 20.25H.075.C, and so it is unclear which minimum critical area stream buffer and structure setback dimensions that would apply. However, using the most restrictive dimensional requirements for a fish-bearing stream buffer (50 feet from top of bank) and structure setback (50 feet from the buffer) in the LUC, the proposed preliminary short plat would not encroach into the stream critical area, critical area buffer, or critical areas structure setback as portrayed in Figure 4 below.

- 2) Will drainage on all newly paved surfaces be directed away from my property? Response: Potential drainage from the newly paved surface of the private road has been removed as the road has been re-located to the east side of the property. Drainage from the private road and paved surfaces associated with future single-family development will be collected in catch basins and pipes and detained prior to conveyance to the public surface water system. Refer to discussion of Private Road Location in Section VI of this report below.
- 3) There is concern that paving an access road so close to the property line will adversely affect the health of trees on the property to the west by compromising their root systems.

This is likely to weaken the trees which may fall in winter storms. Nearby structures, including the newly built houses, will be vulnerable.

**Response:** See response to Question 2 above.



Figure 4: Map of Stream on 16631 SE Newport Way

4) There is concern for the fate of the several large trees which straddle the fence and property line between the proposal property and the adjacent property to the west. Has any decision been made regarding them? Will all of the trees north of the existing house on site be removed in order to make room for one of the new houses? Is there any requirement that a certain number of trees be retained?

**Response:** The LUC requires 30% of existing tree diameter (in inches) be retained on the subject site. It is the applicant's responsibility to ensure that trees to be removed are located only on the subject site and this is verified via the site survey submitted with this preliminary short plat application. All trees on the proposal site were located and shown on a site survey prepared by a licensed survey engineer and the tree retention plan has been reviewed for compliance with the LUC as part of this preliminary short plat review. The tree retention plan shows the locations of the trees to be retained and the trees to be removed. It will be a condition of this approval that this tree retention plan be recorded with King County as part of the recorded Final Short Plat.

- 5) Are trees straddling the western property line vulnerable to removal or severe pruning? If so, their health and retention is also a concern.
  - **Response:** Excavation or clearing performed within drip lines of existing off-site trees associated with building permits for each lot in the short plat shall be done by hand to avoid damage to roots and shall be done under the supervision of a certified arborist..
- 6) Also, I notice that the only wildlife mentioned in the developer's plans were songbirds. There are also deer, coyote, racoon, possum, bear and bobcat (all sightings) as well as cougar (not sighted but strong evidence from a deer kill in my back yard 18 month ago). Other birds sighted include ducks, heron, eagle, red tail hawk, pileated and assorted woodpeckers.

**Response:** It is acknowledged that a variety of wildlife are present throughout the residential neighborhoods of Bellevue and the proposal site. The city's development regulations and tree preservation standards address the balance required between providing opportunities for wildlife alongside urban development.

7) Another concern is future damage to the fence between the proposal property and the neighboring property to the west if there is no significant curb or other construct protecting it. And, where does responsibility lie if such damage occurs during construction?

**Response:** Temporary fencing will be required to mitigate potential damage to existing off-site conditions under the single-family building permits (BS permit) for each lot in the proposed short plat. Additionally, as a result of City review, the private road was moved from the west to the east side of the property, thus reducing the likelihood for damage along the western property line.

## V. SUMMARY OF TECHNICAL REVIEWS

#### A. CLEARING AND GRADING:

The clearing and grading reviewer has reviewed the plans and materials submitted for this project and has approved the clearing and grading portion of this preliminary short plat application. This approval does not constitute an approval of any construction permit. An application for a clearing and grading permit must be submitted and approved before construction can begin. Plans submitted as part of any permit application for this project shall be consistent with the activity permitted under this approval and must comply with the City of Bellevue Clearing and Grading Code (BCC 23.76). Refer to Condition of Approval regarding Seasonal Clearing and Grading Restrictions in Section X.B of this report.

## **B. FIRE DEPARTMENT:**

The Fire Review has reviewed the plans and materials submitted for this project and has approved the preliminary short plat application. Refer to Conditions of Approval regarding Fire Apparatus Access Roads and Fire Apparatus Loading in Section X.C of this report.

# C. TRANSPORTATION DEPARTMENT:

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure permit.

Prior to final short plat approval, the developer must complete all transportation improvements at the developer's expense (BCC 14.60.110); or provided that all the requirements of BCC 14.60.260 are met, the director may accept an acceptable financial assurance device equivalent to 150% of the cost of the unfinished improvements. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device.

Under BCC 22.16, payment of the transportation impact fee for each new home prior to building permit issuance will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the City Council. Builders will pay the fee in effect at the time of building permit issuance. Refer to Condition of Approval regarding Engineering Plans in Section X.B of this report.

#### **Site Access**

The proposed three lot short plat is comprised of an existing lot on the south side of SE Newport Way, which has one existing single-family home taking access from SE Newport Way via a single-family driveway. SE Newport Way is a two-lane road classified as a minor arterial. There is currently a 5-foot asphalt shoulder and grass ditch along the site frontage. Access for the short plat will be via a private road to be constructed across lot 1, 2, and 3, replacing the existing single-family driveway. No other access connection to city right-of-way is authorized. The private road must be a minimum of 20 feet wide contained within a 25-foot-wide shared access easement. The private road driveway approach must be built per the Transportation Design Manual Standard Drawings. Refer to Condition of Approval regarding Access Design and Maintenance in Section X.C of this report.

Street names and site addresses will be determined by the City's Parcel and Address Coordinator.

# Street Frontage Improvements and Joint-Use Driveway Requirements

The Chen short plat has frontage on SE Newport Way. The lot is bordered by single family lots to the east, west, and south. There is currently a 5-foot asphalt shoulder and grass ditch along the site frontage. Pavement widening, and a 6-foot-wide sidewalk has been installed on the short plat to the east adjacent to the site.

The project frontage improvements and private road requirements include:

- Widen the paved shoulder on SE Newport Way to provide 29 feet of asphalt from the face of curb to the centerline of the road.
- Install minimum 6-foot-wide sidewalk, minimum 4-foot-wide landscape planter, and new curb and gutter along the frontage, connecting to the existing sidewalk at the east property line.
- A sidewalk easement will be required for any portion of the sidewalk located on private property.
- At the west property line, install an ADA compliant asphalt transition ramp from the sidewalk to the pavement.
- Install a new minimum 20-foot-wide private driveway approach.
- Install a minimum 20-foot-wide private road within a minimum 25-foot-wide access easement.
- Concrete curb and gutter is required on the private road in areas where the grade exceeds 8%.
- Street lighting meeting City of Bellevue's standards per BCC 14.60.210 is required on SE
   Newport Way. An AGI analysis will be required to verify that minimum light levels are met.

The design of the improvements and the final engineering plans showing those improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the Transportation Department Design Manual prior to approval of the plat infrastructure (GE) permit. Refer to Condition of Approval regarding Sidewalk/Utility Easements and Infrastructure Improvements in Section X.B & C of this report.

# Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. Refer to Conditions of Approval regarding Off-Street Parking and Right-of-Way Use Permit in Section X.B of this report.

## **Pavement Restoration**

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are No Street Cuts Permitted, Overlay Required, and Standard Trench Restoration. Each category has different trench restoration requirements associated with it. Near the development site, SE Newport Way is classified as "No Street Cuts Permitted". Permission to cut into SE Newport Way must be obtained through a variance on the right-of-way use permit. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required for a minimum of 50 feet. Refer to Conditions of Approval regarding Right-of-Way Use Permit and Pavement Restoration in Section X.B of this report.

## **Sight Distance**

The access design shall meet the sight distance requirements of BCC 14.60.240. Vegetation shall be trimmed as needed within the sight triangle. <u>Refer to Condition of Approval regarding Sight Distance in Section X.B of this report.</u>

## **Transportation Impacts and Mitigation**

City staff has analyzed the potential short-term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. Due to the minimal number of new p.m. peak hour trips to be generated by the Chen Short Plat, traffic impacts from this development will be minor in nature. Therefore, no additional mitigation is required other than payment of the transportation impact fee and the project site improvements.

## D. UTILITIES REVIEW

The project as proposed can be feasibly constructed under the existing codes and standards with one deviation granted for reducing the vault setback from 23 to 17 feet on the upper end of vault. Authority: BCC Title 24.02, 24.04, 24.06. Reviewer: Mark Dewey, Utilities

## Storm Drainage

The project will be required to mitigate for minimum requirements 1-9 from the Department of Ecology. The applicant has proposed to use a detention vault with a water quality filter to meet the requirements of MR7 and MR 6 for flow control and water quality treatment. Onsite storm water management is not feasible due to the steep topography of the site. Drainage will be routed to the existing historic drainage path and connect to the public storm system in SE Newport Way.

## Water

The water supply for this project will connect to a City of Bellevue owned water main located in SE Newport Way. Three water meters will be required one for each lot.

## Sewer

Sewer service for the short plat will connect to an existing sewer main in SE Newport Way via a joint use six-inch size side sewer. Authority: BCC Title 24.02, 24.04, 24.06. Reviewer: Mark Dewey, Utilities.

Refer to Condition of Approval regarding Preliminary Design, Utility Codes and Engineering Standards in Section X.A of this report.

# VI. CHANGES TO THE PROPOSAL AS A RESULT OF CITY REVIEW

- **SEPA Review:** After further review of the proposal, the requirement for SEPA review (as indicated in the Notice of Application published on September 29, 2016) was removed and the project was determined to be Exempt as indicated in Section VII of this report below.
- **Location of Private Road:** The applicant re-located the private road from the west to the east side of the property in response to City comments dated September 7, 2016
- Lot 3 Side Yard Setback/Lot Coverage by Structure: In order to accommodate the required structure setback from the utility detention vault located under the private road, the majority of the east side yard setback on Lot 3 was increased to 54 FT, which will result in a substantially reduced footprint for a future single-family residence on the lot.

#### VII. STATE ENVIRONMENTAL POLICY ACT (SEPA)

There are no critical areas within the proposal site. Preliminary Short Plats which do not contain Critical Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a), BCC 22.02.032. Thus, this project proposal is Exempt.

#### VIII. DECISION CRITERIA

#### A. LAND USE CODE 20.45B.130 DECISION CRITERIA FOR A PRELIMINARY SHORT PLAT:

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

1. The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste; and

**Finding:** City codes ensure public health, safety and general welfare through development code requirements. Existing public systems and facilities have been deemed adequate to serve the proposed development. There are no implied approvals of the utility engineering. Changes to the site layout may be required to accommodate the utility requirements during infrastructure permit review. The short plat makes appropriate provisions for the public health, safety, and general welfare.

Construction noise is expected during the construction period, however, the Bellevue Noise Control Ordinance (BCC 9.18) regulates hours of construction-related noise emanating from project sites. Refer to Conditions of Approval regarding Noise - Construction Hours and Engineering Plans in Sections X.A & B of this report.

# 2. The public interest is served by the short subdivision; and

**Finding:** The public interest is served by providing additional housing opportunities in accordance with the Comprehensive Plan which designates the site as Single-Family Medium Density. The proposed short plat allows the property to achieve the planned density while ensuring compliance with City codes and standards.

3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site; and

Finding: The preliminary short plat considers the physical characteristics of the site by establishing tree retention and protection requirements which will maintain some of the vegetated character of the surrounding neighborhood. There are no critical areas or critical areas buffers on this site that require further protection. Refer to Conditions of Approval regarding Tree Protection and Tree Preservation Requirements in Sections X.B & C of this report.

- 4. The proposal complies with all applicable provisions of the Land Use Code (BCC Title 20), the Utility Code (BCC Title 24), and the City of Bellevue Development Standards; and Land Use Code Requirements:
  - a. Dimensional Requirements: Refer to Section III.A. of this report for conformance with dimensional requirements for the R-3.5 zone Finding: As conditioned, all the lots shown can be developed in accordance with the City of Bellevue Land Use Code requirements, including the R-3.5 zoning district dimensional requirements as shown in Section III.A of this report. Refer to Condition of Approval regarding Structure Setback from Private Road in Sections X.C of this report
  - Significant Tree Preservation: Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of 30% of significant trees on the site.
     Finding: The applicant proposes to retain 141 diameter inches (32%) of the existing 433 diameter inches of existing significant trees on site as shown in Section III.A of this report.
     Refer to Conditions of Approval regarding Tree Protection and Tree Preservation Requirements in Sections X.B & C of this report.
- 5. The proposal is in accord with the Comprehensive Plan (BCC Title 21); and *Finding:* The site is located within the Newcastle subarea. The Comprehensive Plan specifies Single-Family Medium-Density (SF-M) development for this property, which is consistent with the R-3.5 zoning designation.
  - Policy LU-11: Maintain stability and improve the vitality of residential neighborhoods through adherence to, and enforcement of, the city's codes.
  - Policy S-NC-11. Promote infill development at a density consistent with the
     existing character of established neighborhoods
     Finding: The single-family dwellings anticipated with the approval of this permit and all
     subsequent permits are, by use type, compatible with surrounding neighborhoods
- 6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance; and Finding: As conditioned, each lot can reasonably be developed to current R3.5 zoning standards without requiring a variance. There are no site constraints or critical areas which inhibit the development of this property. Refer to Conditions of Approval regarding Variance Restriction in Section X.A and Structure Setback from Private Road in Sections X.C of this report
- 7. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.
  Finding: The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access location, and other required improvements are existing, planned or conditioned as part of this approval to accommodate the use of these lots. Refer to Conditions of Approval regarding Preliminary Design, Utility Codes and Engineering Standards, Engineering Plans, Pavement Restoration, Infrastructure Improvements and Access Design and Maintenance and in Sections X.A, & C of this report.

#### IX. CONCLUSION AND DECISION:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of the Development Services Department does hereby **APPROVE WITH CONDITIONS** the Chen Preliminary Short Plat.

This approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and 160

# X. CONDITIONS OF APPROVAL:

The following Conditions are imposed under the authority referenced:

Applicable Codes and Ordinances	<b>Contact Person</b>	Phone
Clearing and Grading Code – BCC 23.76	Janney Gwo	425-452-6190
Construction Codes – BCC Title 23	Building Division	425-452-4121
Fire Code – BCC 23.11	Derek Landis	425-452-4112
Land Use Code – BCC Title 20	Mark Brennan	425-452-2973
Noise Control – BCC 9.18	Mark Brennan	425-452-2973
Trans. Development. Code – BCC 14.60	Ian Nisbet	425-452-4851
Traffic Standards Code – BCC 14.10	Ian Nisbet	425-452-4851
Survey	Shannan Bartlett	425-452-6018
Right-of-Way Use Code – BCC 14.30	Tim Stever	425-452-4294
Utility Code – BCC Title 24	Mark Dewey	425-452-6179

#### A. GENERAL CONDITIONS:

#### 1. Variance Restriction

Approval by the City of this preliminary short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.

AUTHORITY: LUC 20.45B.130.A.6
REVIEWER: Mark C. Brennan, Land Use

#### 2. Noise - Construction Hours

The proposal will be subject to normal construction hours of 7 a.m. to 6 p.m., Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Proximity to existing residential uses will be given special consideration. Upon written request to DSD, work hours may be extended to 10:00 p.m. if the criteria for extension of work hours as stated in BCC 9.18 can be met and the appropriate mitigation employed.

AUTHORITY: Bellevue City Code 9.18
REVIEWER: Mark C. Brennan, Land Use

# 3. Time Limitation

This Preliminary Short Plat approval automatically expires and is void if the applicant fails to file for approval of the final short plat within **ONE YEAR** of the effective date of the Preliminary Short Plat approval unless the applicant has requested in writing and has received an extension for the Preliminary Short Plat pursuant to Land Use Code Section 20.45B.160.

AUTHORITY: Land Use Code 20.45B.150 and 160

REVIEWER: Mark C. Brennan, Land Use

# 4. Preliminary Design, Utility Codes and Engineering Standards

Conceptual review has been completed on the preliminary information submitted at the time of this application. The review has no implied approvals for water, sewer and storm drainage components of the project. Initial plan review for water, sewer and storm drainage will be completed under a Developer Extension Agreement permit. Completion of the Developer Extension Agreement will be required to obtain final plat or submittal of a plat bond. No building permits will be issued until the utility improvements for water, sewer and storm drainage have been completed and signed off by City of Bellevue. Easements for water, sewer and storm will be required and recorded on the final short plat document.

AUTHORITY: BCC Title 24.02, 24.04, 24.06
REVIEWER: Mark Dewey, Utilities

# B. CONDITIONS PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

#### 5. Tree Protection

To mitigate adverse impacts during construction to trees to be retained, the applicant must comply with the following:

- a) Clearing limits shall be established for retained trees within the developed portion of the site, outside of the drip lines. Six-foot chain link fencing with driven posts, or an approved alternative, shall be installed at the clearing limits (outside of the driplines) prior to initiation of any clearing and grading.
- b) No excavation or clearing should be performed within drip lines of retained trees except as specifically approved on plans. All such work shall be done by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the City.
- c) Excavation or clearing performed within drip lines of existing off-site trees where such drip lines extend into the property shall be done by hand to avoid damage to roots and shall be done under the supervision of a certified arborist.

AUTHORITY: Bellevue City Code 23.76.060

REVIEWER: Janney Gwo, Development Services Department, Clearing & Grading

Section

Mark C. Brennan, Land Use

## 6. Right-of-Way Use Permit

The applicant is required to apply for a Right of Way Use Permit before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one Right of Way Use Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Use Permit regulates activity within the city right of way, including but not limited to the following:

- a. Designated truck hauling routes.
- b. Truck loading and unloading activities.
- c. Hours of construction and hauling.
- d. Continuity of pedestrian facilities.
- e. Temporary traffic control and pedestrian detour routing for construction activities.
- f. Street sweeping and maintenance during excavation and construction.
- g. Location of construction fences.
- h. Parking for construction workers.
- i. Construction vehicles, equipment, and materials in the right of way.
- j. All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

AUTHORITY: Bellevue City Code 14.30 REVIEWER: Tim Stever, Transportation

# 7. Off-Street Parking

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation, or demolition permit.

AUTHORITY: Bellevue City Code 14.30

REVIEWER: Tim Stever, Transportation/Right of Way

# 8. Engineering Plans

A street lighting plan, channelization plan, and site (civil engineering) plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation-related engineering details, including but not limited to, the design of the private road or shared driveway, the connection to SE Newport Way, pavement restoration in SE Newport Way, mailbox location, and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

The project frontage improvements and private road requirements include:

- Widen the paved shoulder on SE Newport Way to provide 29 feet of asphalt from the face of curb to the centerline of the road.
- Install minimum 6-foot-wide sidewalk, minimum 4-foot-wide landscape planter, and new curb and gutter along the frontage, connecting to the existing sidewalk at the east property line.
- A sidewalk easement will be required for any portion of the sidewalk located on private property.
- At the west property line, install an ADA compliant asphalt transition ramp from the sidewalk to the pavement.
- Install a new minimum 20-foot-wide private driveway approach.
- Install a minimum 20-foot-wide private road within a minimum 25-foot-wide access easement.
- Concrete curb and gutter is required on the private road in areas where the grade exceeds 8%.
- Street lighting meeting City of Bellevue's standards per BCC 14.60.210 is required on SE Newport Way. An AGI analysis will be required to verify that minimum light levels are met.
- Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.

- The maximum cross grade of a street at the street end shall be 8%.
- Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.

Construction of all street and street frontage improvements must be completed prior to closing the clear and grade permit and right of way use permit for this project. A Design Justification Form must be provided to the Transportation Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with ADA standards. Forms must be provided prior to approval of the clear and grade plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, Forms must be provided prior to project completion.

AUTHORITY: Bellevue City Code 14.60; Transportation Department Design

Manual; and Transportation Department Design Manual Standard

Drawings; Americans with Disabilities Act.

REVIEWER: Ian Nisbet, Transportation

# 9. Sight Distance

The proposed driveway access onto SE Newport Way shall meet the City of Bellevue's minimum sight distance requirements. If necessary to meet the sight distance requirements of BCC 14.60.240 and standard drawing RL-100-1 and RL-120-1, existing vegetation near the access point on 164<sup>th</sup> Avenue SE must be trimmed. Ground vegetation within the sight triangle must be trimmed to no more than 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. A description of any required vegetation trimming must be shown on a sheet of the clearing and grading plan set.

AUTHORITY: Bellevue City Code 14.60.240 REVIEWER: lan Nisbet, Transportation

## 10. Pavement Restoration

The city's pavement manager has determined that this segment of SE Newport Way is classified as "No Street Cuts Permitted". Permission to cut into SE Newport Way must be obtained through a variance on the right-of-way use permit. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required for a minimum of 50 feet. Trench restoration must meet the requirements of Section 23 of the Design Manual and standard drawings RC-190-1 through RC-220-1. Exact copies of the appropriate trench restoration drawing(s) must be included in the final engineering plans.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard # 23

REVIEWER: Tim Stever, Transportation/Right of Way

# 11. Sidewalk/Utility Easements

The applicant shall provide sidewalk and utility easements to the City such that sidewalks outside of the City right of way along the property frontage are located within a pedestrian easement area.

AUTHORITY: BCC 14.60.100

REVIEWER: Ian Nisbet, Transportation

# 12. Seasonal Clearing and Grading Restrictions

The clearing & grading code defines the rainy season as October 1st through April 30th. The Development Services Department may grant approval to initiate or continue clearing or grading activity during the rainy season. Any approval will be based on site and project conditions, extent and quality of the erosion and sedimentation control, and the project's track record at controlling erosion and sedimentation.

AUTHORITY: Clearing & Grading Code 23.76

REVIEWER: Janney Gwo, Development Services Department, Clearing & Grading

Section

#### C. PRIOR TO APPROVAL OF FINAL SHORT PLAT:

## 13. Fire Apparatus Access Roads

Fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. (2015 IFC 503.4 BCCA) No parking is allowed on the 20' wide private road. Marking of the road, as required by the 2015 IFC 503.3 BCCA, will be required if obstruction of the fire lane becomes evident.

AUTHORITY: 2015 IFC 503.3 & 503.4 BCCA

REVIEWER: Derek Landis, Fire Department Review

# 14. Fire Apparatus Loading

Detention vaults and pipes in the roadway shall be capable of supporting fire apparatus with a gross weight of 64,000 lbs. (rear axle=48,000 lbs. and front axle=19,000 lbs.) and shall support the weight of the ladder truck outrigger which is 45,000 lbs. over an 18-inch square. See:

https://fire.bellevuewa.gov/UserFiles/Servers/Server 4779004/File/pdf/Development%20Services/B-1 VehicleLoading.pdf"

AUTHORITY: <u>Vehicle, Fire Truck & Apparatus Loading</u>
REVIEWER: <u>Derek Landis, Fire Department Review</u>

## 15. Infrastructure Improvements

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be completed prior to approval of the final short plat. If all the requirements of BCC 14.60.260 are met, the director may accept an acceptable financial assurance device equivalent to 150% of the cost of the unfinished improvements. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Improvements must be approved by the Transportation Department inspector before they are deemed complete.

AUTHORITY: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241,

260. Transportation Department Design Manual Sections 3, 4, 5, 7, 11,

14, 19

REVIEWER: Ian Nisbet, Transportation

# 16. Access Design and Maintenance

The final Subdivision map must include a note that specifies that the owners of lots served by the private road are jointly responsible for maintenance and repair of the private road. Also, the final Subdivision map must include a note that specifies that the private road will remain open at all times for emergency and public service vehicles and shall not be gated or obstructed.

AUTHORITY: BCC 14.60.130

REVIEWER: Ian Nisbet, Transportation

## 17. Structure Setback from Private Road

The final short plat shall portray the minimum 10-foot structure setback from the private road on all lots.

AUTHORITY: Land Use Code 20.20.010
REVIEWER: Mark C. Brennan, Land Use

# 18. Tree Preservation Requirements

The final short plat shall portray a minimum of 141 diameter inches of existing significant trees to remain, as proposed. A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained must be recorded with the *final short plat mylar* (recorded with King County). This Tree Preservation Plan must also contain the following note:

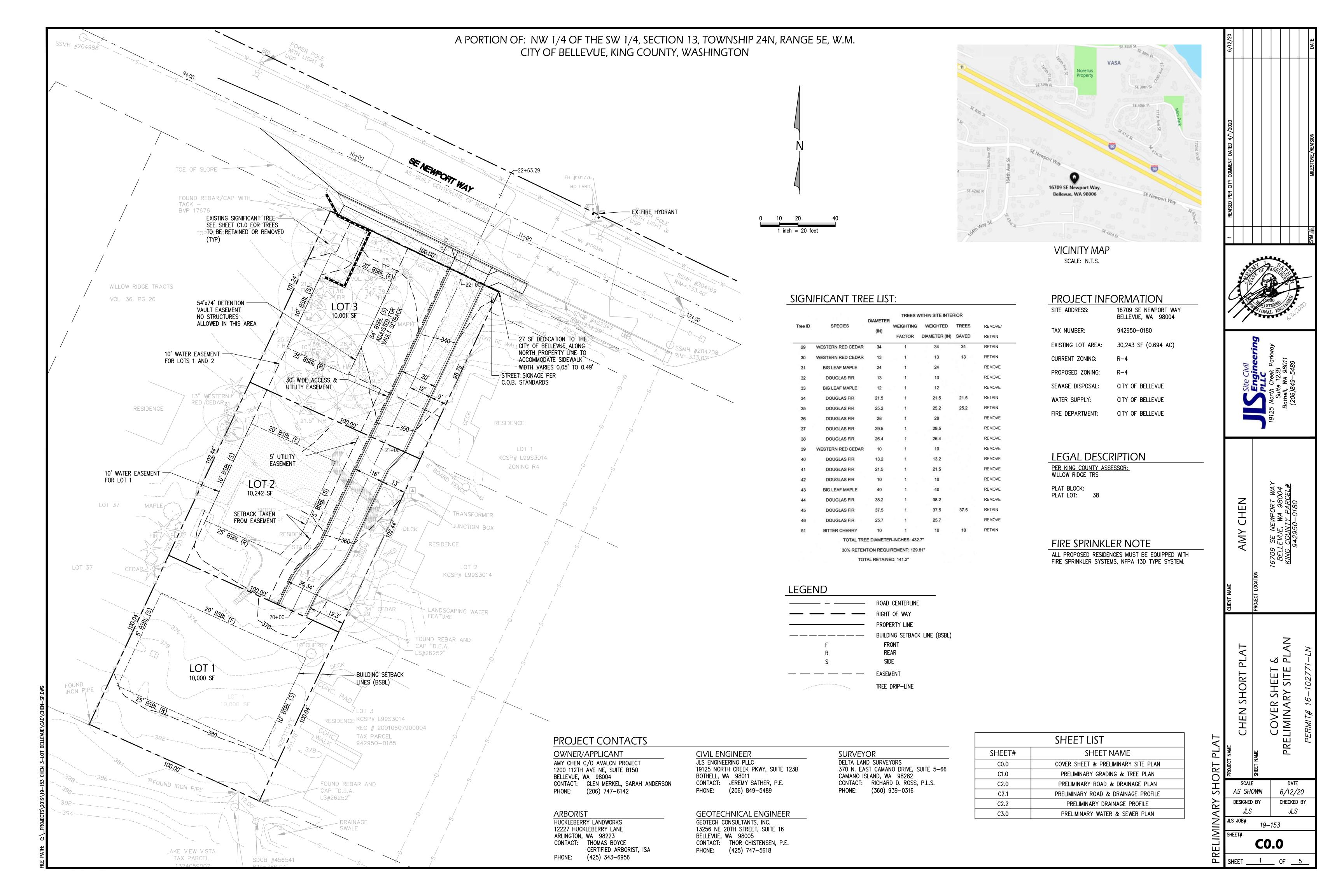
"Designation of trees on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed all trees as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting, or tree removal shall occur unless required or approved by the City. Except for ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of trees shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to penalty, including without limitation, fines and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree Preservation Plan and this covenant."

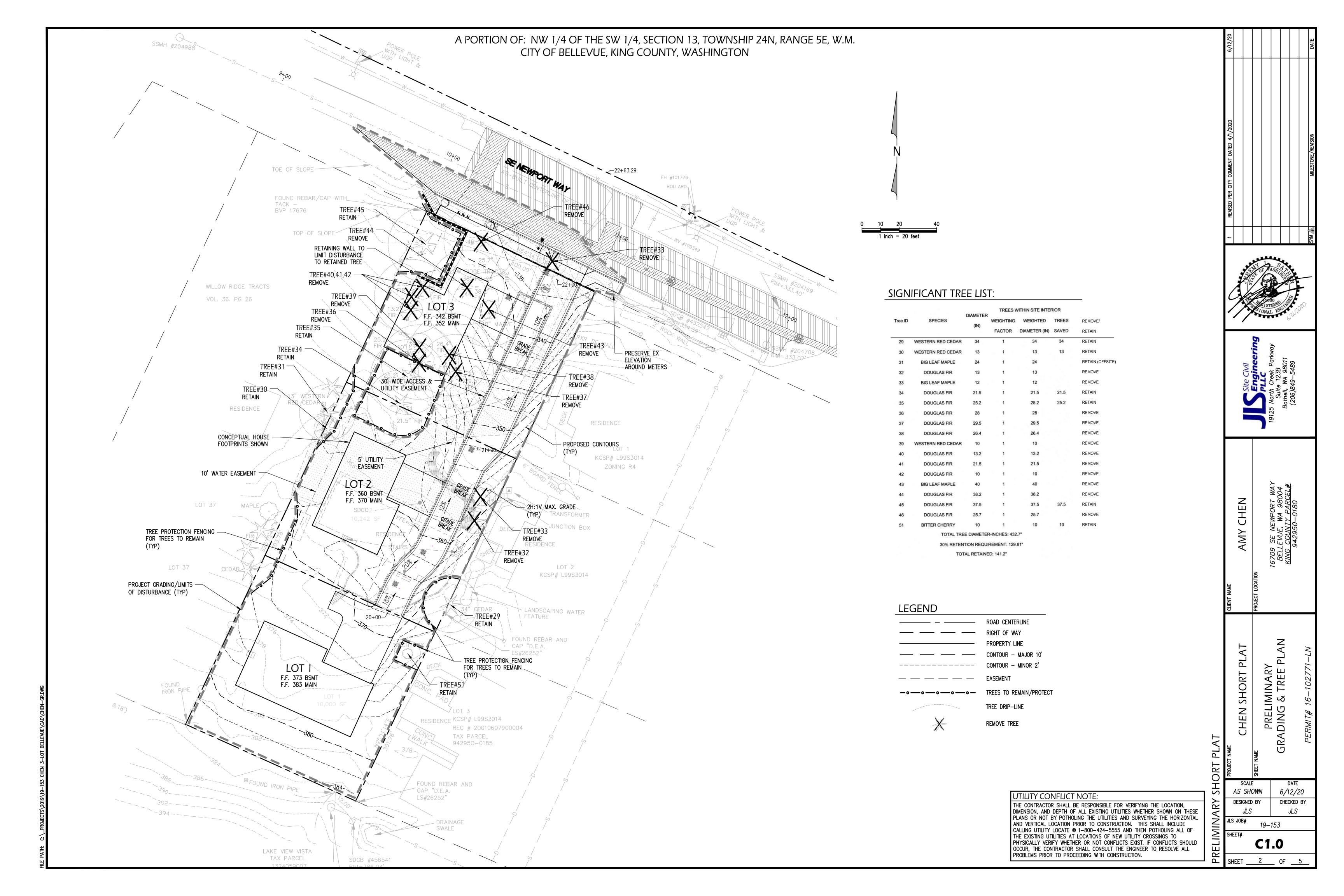
During future construction, the dripline of the trees to be saved shall be fenced to prevent clearing & grading activities within the dripline area.

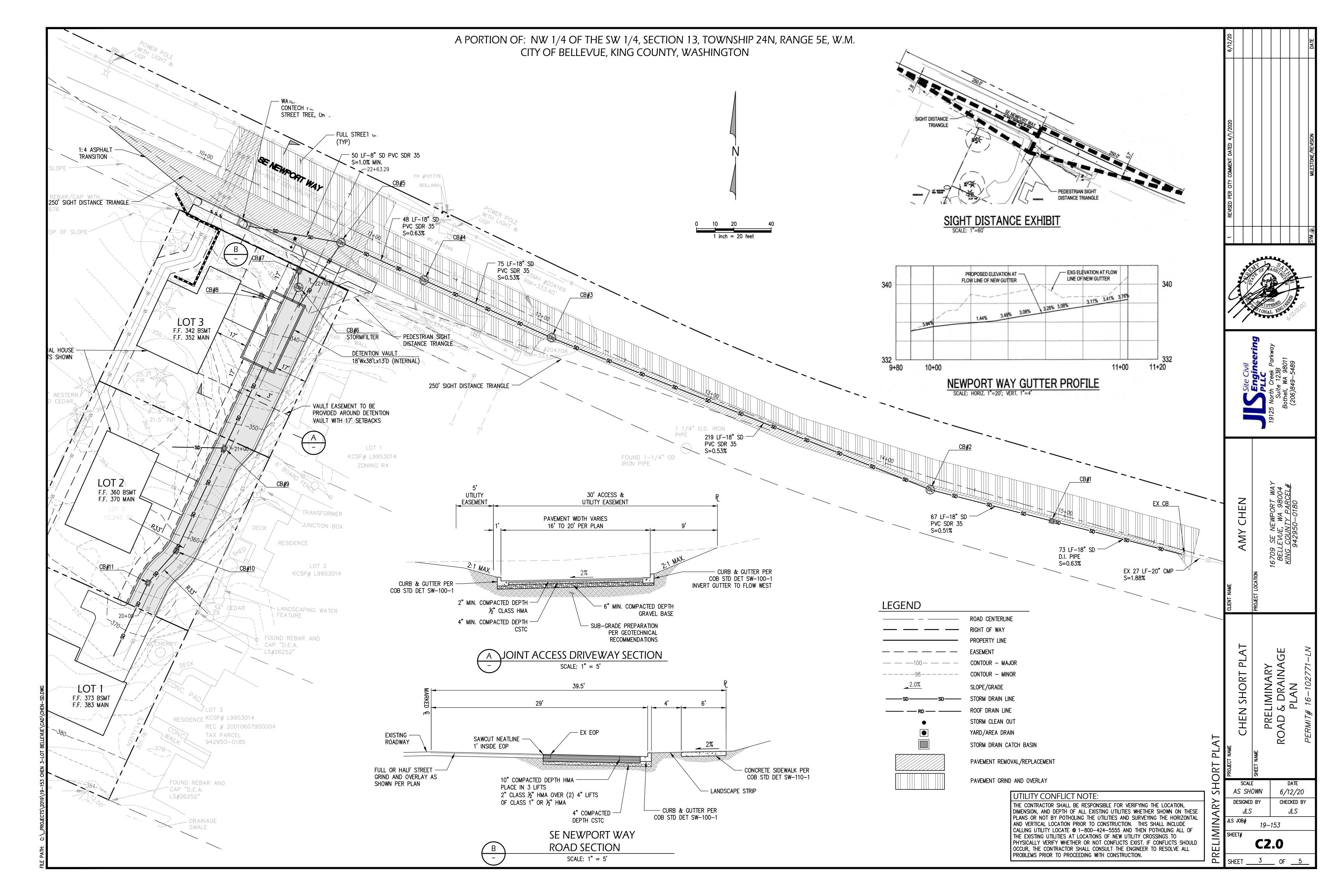
AUTHORITY: Land Use Code 20.20.900
REVIEWER: Mark C. Brennan, Land Use

# Attachment:

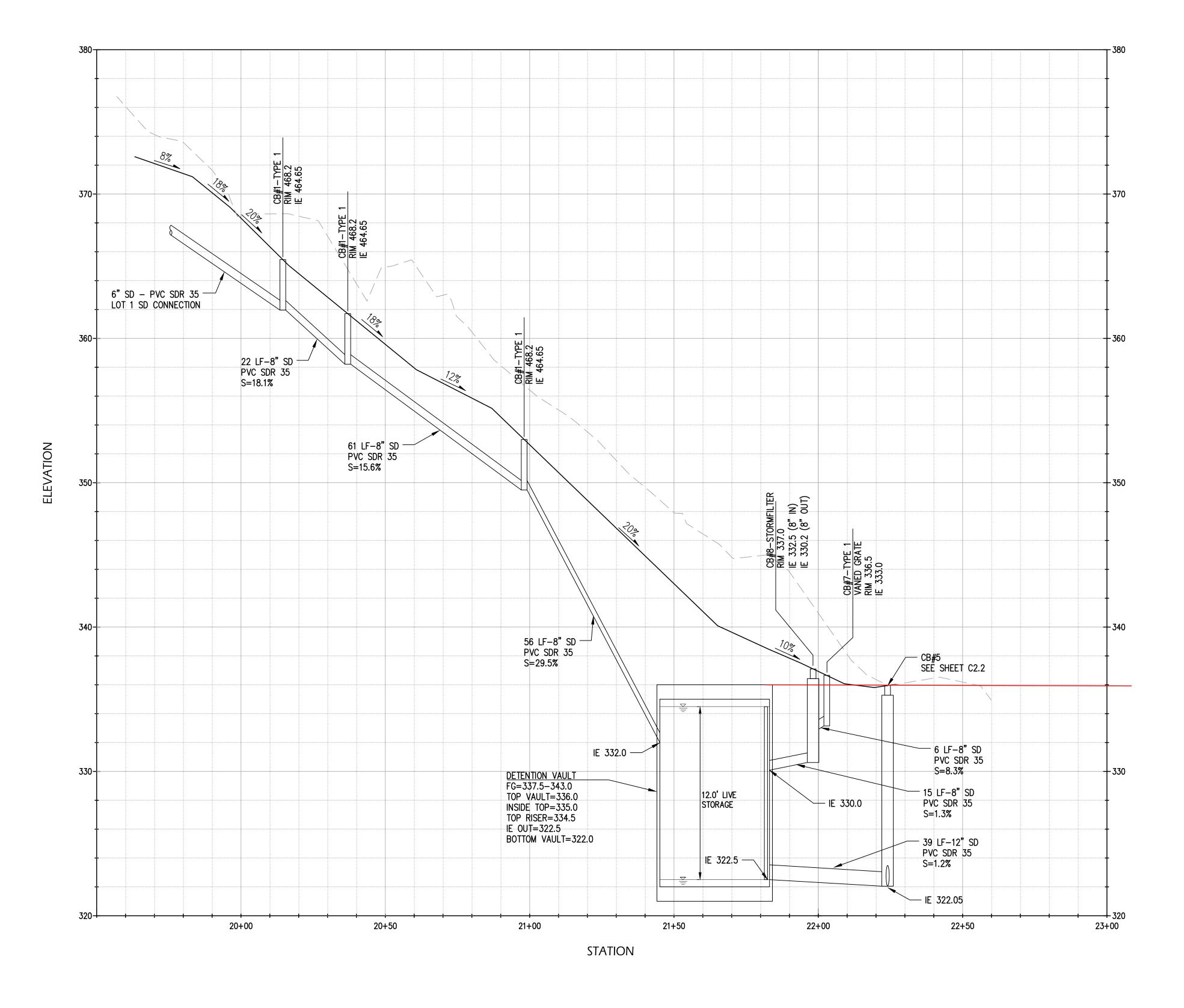
**Project Drawings** 







# A PORTION OF: NW 1/4 OF THE SW 1/4, SECTION 13, TOWNSHIP 24N, RANGE 5E, W.M. CITY OF BELLEVUE, KING COUNTY, WASHINGTON



JOINT ACCESS DRIVEWAY PROFILE SCALE: HORIZ. 1"=20' VERT. 1"=4'

UTILITY CONFLICT NOTE:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POTHOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE @ 1-800-424-5555 AND THEN POTHOLING ALL OF THE EXISTING UTILITIES AT LOCATIONS OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT THE ENGINEER TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

PLAT					
NAME	CLIENT NAME		<i>C I</i>	1	REVISED PER CITY COMMENT DA
CHEN SHORT PLAT	AMY CHEN	Site Civil			
АМЕ	PROJECT LOCATION	Engineering	A STATE OF THE STA		
PRELIMINARY	16700 SF NEWPORT WAY	19125 North Creek Parkway	AST AST ONAL		
ROAD & DRAINAGE	BELLEVUE, WA 98004	Suite 123B Rothell WA 98011	CONTROL OF THE PARTY OF THE PAR		
PROFILES	KING COUNTY PARCEL# 942950-0180	(206)849–5489	Grana Grana		
PERMIT# 16-102771-LN				SYM #	MILESTONE/

6/12/20

CHECKED BY

DESIGNED

JLS

JLS JOB#

SHEET#

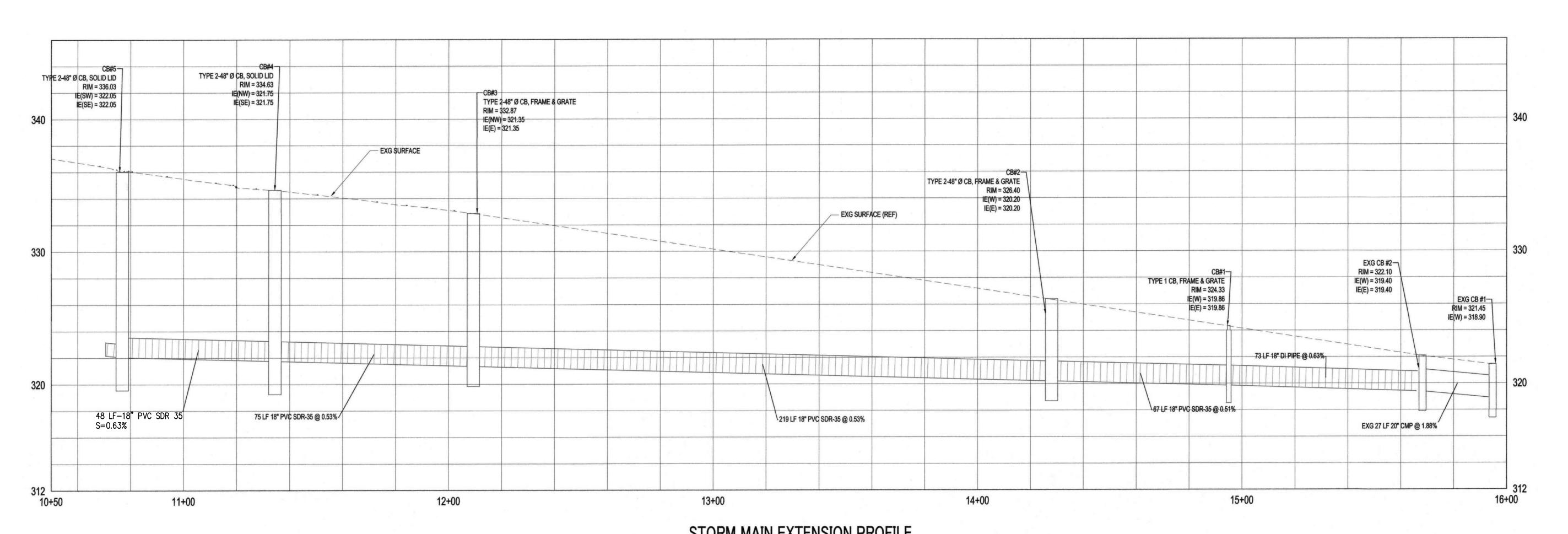
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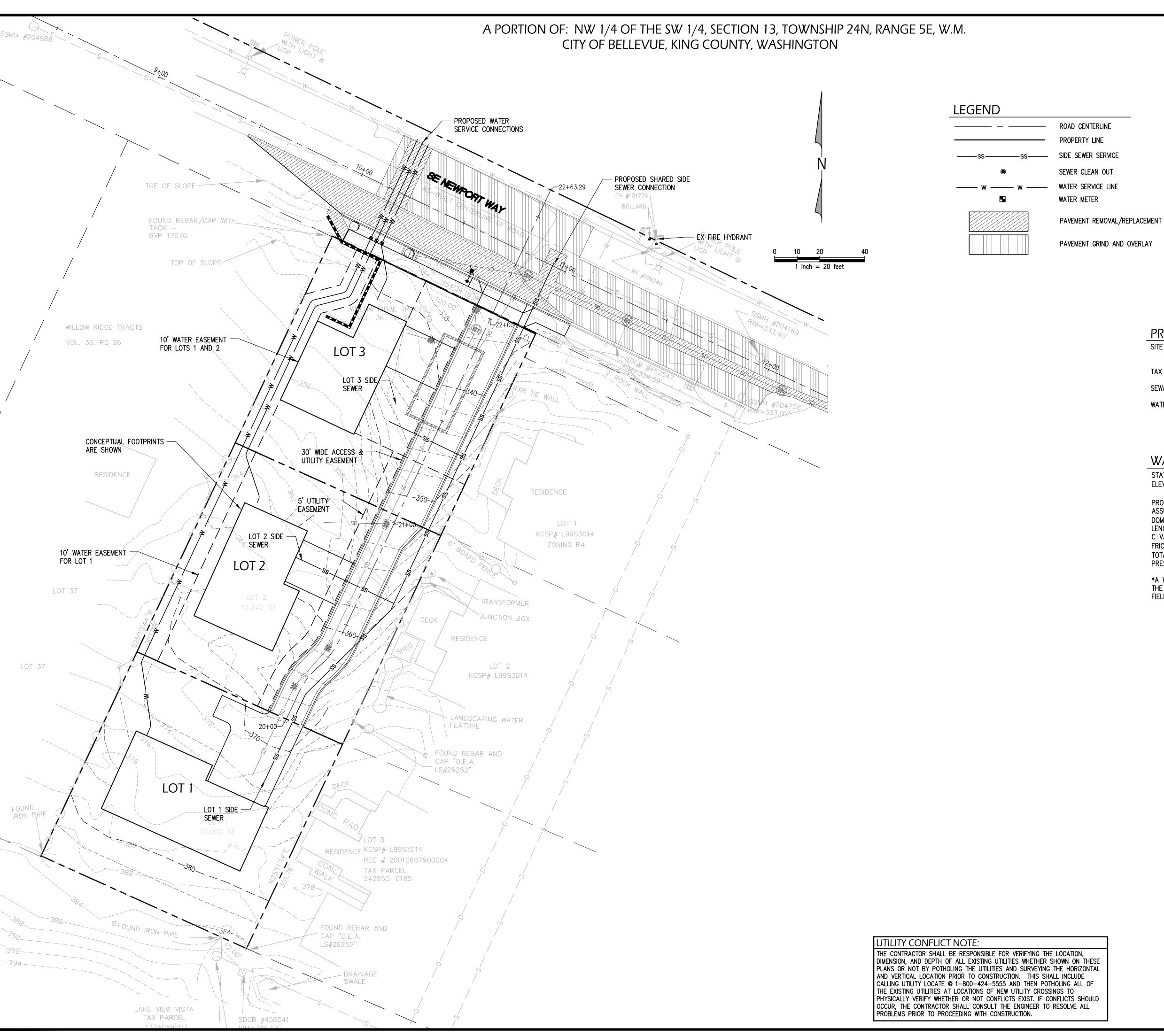


STORM MAIN EXTENSION PROFILE
SCALE: HORIZ. 1"=20"; VERT. 1"=4"

UTILITY CONFLICT NOTE:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POTHOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE @ 1-800-424-5555 AND THEN POTHOLING ALL OF THE EXISTING UTILITIES AT LOCATIONS OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT THE ENGINEER TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

	CLIENT NAME	PLAT AMY CHEN	PROJECT LOCATION			KING COUNTY PARCEL# 942950-0180	
L — — — — — — — — — — — — — — — — — — —	PROJECT NAME	CHEN SHORT PLAT	SHEET NAME	PRELIMINARY	ROAD & DRAINAGE	PROFILES	
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# PROJECT CONTACTS

OWNER/APPLICANT AMY CHEN C/O AVALON PROJECT 1200 112TH AVE NE, SUITE B150 BELLEVUE, WA 98004 CONTACT: GLEN MERKEL, SARAH ANDERSON

PHONE: (206) 747–6142

AGENT/CIVIL ENGINEER

JLS ENGINEERING PLLC 19125 NORTH CREEK PKWY, SUITE 123B BOTHELL, WA 98011 CONTACT: JEREMY SATHER, P.E. PHONE: (206) 849-5489

**SURVEYOR** 

DELTA LAND SURVEYORS 370 N. EAST CAMANO DRIVE, SUITE 5-66 CAMANO ISLAND, WA 98282

CONTACT: RICHARD D. ROSS, P.L.S. PHONE: (360) 939-0316

# PROJECT INFORMATION

SITE ADDRESS: 16709 SE NEWPORT WAY BELLEVUE, WA 98004

TAX ACCOUNT NO: 942950-0180 SEWAGE DISPOSAL: CITY OF BELLEVUE

WATER SUPPLY: CITY OF BELLEVUE

# WATER PRESSURE CALCS

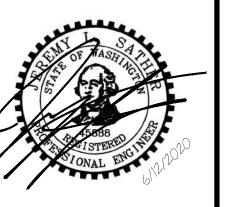
PRESSURE AT HIGHÈST FIXTURE

STATIC PRESSURE AT WATER MAIN ELEVATION DIFFERENCE 56 FEET (24 PSI) (MAIN TO HIGHEST WATER FIXTURE ON LOT 1) PROPOSED SUPPLY LINE SIZE 1-1/2 INCH ASSUMED FIXTURE UNITS DOMESTIC WATER DEMAND (IPC) LENGTH OF SUPPLY LINE 300 FEET C VALUE FRICTION LOSS (HAZEN-WILLIAMS) TOTAL HEAD LOSS (ELEV. DIFF. + FRICTION) 24 + 9.7 = 33.7 PSI

\*A WATER LIFT STATION MAY BE REQUIRED TO BOOST STATIC PRESSURE TO THE CITY ALLOWED MINIMUM. TO BE DETERMINED AT ENGINEERING OR PER FIELD CONDITIONS.

60 - 33.7 = 26.3 FEET\*

1	REVISED PER CITY COMMENT DATED 4/1/2020	6/1;
*		
SYM #	MILESTONE/REVISION	ă 





CLIENT NAME  A MY CHEN	PROJECT LOCATION	16709 SE NEWPORT WAY BELLEVUE, WA 98004	MING COUNTY FARCEL# 942950-0180
PROJECT NAME CHENICHORT DI AT	SHEET NAME	PRELIMINARY WATER & SEWER PLAN	PERMIT# 16-102771-LN
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DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POTHOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE @ 1-800-424-5555 AND THEN POTHOLING ALL OF THE EXISTING UTILITIES AT LOCATIONS OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT THE ENGINEER TO RESOLVE ALL

